

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
PLAINTIFF,)
VS.)
RAMESH "SUNNY" BALWANI,)
DEFENDANT.)
) CR-18-00258-EJD
) SAN JOSE, CALIFORNIA
) JULY 5, 2022
) VOLUME 44
) PAGES 7748 - 7751

TRANSCRIPT OF TRIAL PROCEEDINGS
BEFORE THE HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

FOR THE PLAINTIFF: UNITED STATES ATTORNEY'S OFFICE
BY: JOHN C. BOSTIC
JEFFREY B. SCHENK
150 ALMADEN BOULEVARD, SUITE 900
SAN JOSE, CALIFORNIA 95113

BY: ROBERT S. LEACH
1301 CLAY STREET, SUITE 340S
OAKLAND, CALIFORNIA 94612

(APPEARANCES CONTINUED ON THE NEXT PAGE.)

OFFICIAL COURT REPORTER:

IRENE L. RODRIGUEZ, CSR, RMR, CRR
CERTIFICATE NUMBER 8074

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY
TRANSCRIPT PRODUCED WITH COMPUTER

1 | APPARENTANCES: (CONT'D)

2 FOR DEFENDANT BALWANI: ORRICK, HERRINGTON & SUTCLIFFE LLP
3 BY: SHAWN ESTRADA
4 THE ORRICK BUILDING
405 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105

5 BY: JEFFREY COOPERSMITH
6 AARON BRECHER
701 FIFTH AVENUE, SUITE 5600
SEATTLE, WASHINGTON 98104

8 BY: STEPHEN CAZARES
77 SOUTH FIGUEROA STREET, SUITE 3200
LOS ANGELES, CALIFORNIA 90017

10 BY: AMY WALSH
51 W 52ND STREET
NEW YORK, NEW YORK 10019

12 ALSO PRESENT: OFFICE OF THE U.S. ATTORNEY
13 BY: MADDI WACHS, PARALEGAL
SARA SLATTERY, PARALEGAL

14 UNITED STATES POSTAL INSPECTION SERVICE
BY: CHRISTOPHER MCCOLLOW

FEDERAL BUREAU OF INVESTIGATION
BY: MARIO C. SCUSSEL

17 UNITED STATES FOOD & DRUG
ADMINISTRATION
18 BY: GEORGE SCAUDIS

1 SAN JOSE, CALIFORNIA

JULY 5, 2022

2 P R O C E E D I N G S

3 (COURT CONVENED AT 3:30 P.M.)

4 (JURY OUT AT 3:30 P.M.)

5 THE COURT: WE ARE ON THE RECORD IN THE BALWANI

6 MATTER.

7 WE ARE OUTSIDE OF THE PRESENCE OF THE DELIBERATING JURY.

8 LET ME JUST HAVE COUNSEL STATE THEIR APPEARANCES, PLEASE.

9 MR. SCHENK: GOOD AFTERNOON, YOUR HONOR.

10 JEFF SCHENK, JOHN BOSTIC, AND ROBERT LEACH ON BEHALF OF

11 THE UNITED STATES.

12 THE COURT: THANK YOU. GOOD AFTERNOON.

13 MR. COOPERSMITH: GOOD AFTERNOON, YOUR HONOR.

14 JEFF COOPERSMITH ON BEHALF OF MR. BALWANI. HE'S PRESENT.

15 I'M JOINED BY MY COLLEAGUES, AMY WALSH, STEPHEN CAZARES,

16 AND AARON BRECHER.

17 THE COURT: THANK YOU. I'VE ALERTED YOU HERE TO LET

18 YOU KNOW THAT WE HAVE RECEIVED A NOTE FROM THE JURY. IT'S NOTE

19 NUMBER 4.

20 DO YOU HAVE THOSE? YOU CAN DISTRIBUTE THOSE NOW. THE

21 NOTE IS -- IT READS: "UPDATED SCHEDULE. SEE ATTACHED."

22 YOU WILL SEE THAT THE ORIGINAL TO OUR COURTROOM DEPUTY WAS

23 A POST-IT NOTE, AND THIS SCHEDULE WAS ATTACHED TO THE POST-IT

24 NOTE.

25 YOU SEE IT APPEAR ON THE SECOND PAGE, AND I JUST WANTED TO

03:31PM 1 PROVIDE THAT TO YOU FOR YOUR INFORMATION.

03:31PM 2 MR. COOPERSMITH: THANK YOU, YOUR HONOR.

03:31PM 3 THE COURT: ANYTHING FURTHER?

03:31PM 4 MR. SCHENK: NO.

03:31PM 5 THE COURT: OKAY. GREAT. THANK YOU VERY MUCH.

03:31PM 6 MR. COOPERSMITH: THANK YOU.

03:31PM 7 MR. SCHENK: THANK YOU.

03:32PM 8 THE CLERK: COURT IS ADJOURNED.

03:32PM 9 (COURT ADJOURNED AT 3:32 P.M.)

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3 CERTIFICATE OF REPORTER
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7 I, THE UNDERSIGNED OFFICIAL COURT REPORTER OF THE UNITED
8 STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA,
9 280 SOUTH FIRST STREET, SAN JOSE, CALIFORNIA, DO HEREBY
10 CERTIFY:

11 THAT THE FOREGOING TRANSCRIPT, CERTIFICATE INCLUSIVE, IS
12 A CORRECT TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE
13 ABOVE-ENTITLED MATTER.

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IRENE RODRIGUEZ, CSR, RMR, CRR
17 CERTIFICATE NUMBER 8074
18

19 DATED: JULY 5, 2022
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